

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NOVARTIS PHARMACEUTICALS)
CORPORATION AND NOVARTIS AG.,)

Plaintiffs,)

v.)

BRECKENRIDGE PHARMACEUTICAL, INC.,)

Defendant.)

C. A.Nos. 1:16-cv-431-RGA and 1:17-cv-
420-RGA

STIPULATION OF DISMISSAL

Pursuant to Rules 41(a)(1) and 41(c) of the Federal Rules of Civil Procedure, Plaintiffs Novartis Pharmaceuticals Corporation and Novartis AG (“Novartis”) and Defendant Breckenridge Pharmaceutical, Inc. (“Breckenridge”) hereby stipulate and agree that Novartis’s action against Breckenridge, including all claims and defenses asserted by Novartis against Breckenridge and all claims, defenses and counterclaims asserted by Breckenridge against Novartis, are hereby dismissed without prejudice. All parties shall bear their own costs, disbursements and attorneys’ fees.

SO STIPULATED:

August 7, 2018

McCARTER & ENGLISH, LLP

/s/ Daniel M. Silver

Daniel M. Silver (#4758)
Benjamin A. Smyth (#5528)
Renaissance Centre
405 N. King Street, 8th Floor
Wilmington, DE 19801
dsilver@mccarter.com
bsmyth@mccarter.com

Of Counsel:

Nicholas N. Kallas
Christopher E. Loh
Christina Schwarz
Susanne L. Flanders
Jared Stringham
Shannon K. Clark
Laura K. Fishwick
FITZPATRICK, CELLA, HARPER &
SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
(212) 218-2100

*Attorneys for Plaintiffs Novartis
Pharmaceuticals Corporation
and Novartis AG*

RICHARDS, LAYTON & FINGER, P.A.

/s/ Kelly E. Farnan

Kelly E. Farnan (#4395)
Richards, Layton & Finger, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
farnan@rlf.com

Of Counsel:

Bruce D. DeRenzi
Robert F. Vroom
Breckenridge Pharmaceutical, Inc.
60 East 42nd Street
Suite 2410
New York, NY 10165
(646) 448-1308

B. Jefferson Boggs, Jr.
MERCHANT & GOULD PC
1900 Duke Street, Suite 600
Alexandria, Virginia 22314
(703) 684-2500

Christopher J. Sorenson
MERCHANT & GOULD PC
3200 IDS Center
80 S. Eighth Street
Minneapolis, Minnesota 55402
(612) 332-5300

Daniel R. Evans
MERCHANT & GOULD PC
191 Peachtree Street, NE
Suite 3800
Atlanta, GA 30303
(404) 954-5100

*Attorneys for Defendant Breckenridge
Pharmaceutical, Inc.*

SO ORDERED:

This ____ day of _____, 2018

Richard G. Andrews, U.S.D.J.